

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, April 9, 2007 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, John Lebeaux, James McCaffrey, Daniel Morgado, Town Manager, and Michael R. Hale, Assistant Town Manager. Personnel Board: Robert Cashman, Chairman, and Anthony A. Froio. Finance Committee: Gene Buddenhagen, Chairman, John Campbell, Charles Giacoppe, David L'Ecuier, Johanna Musselman, and Clare O'Connor. Mr. Lebeaux called the meeting to order at 7:08pm

Preliminaries:

1. Approve bills, payrolls and warrants, #0777 in the amount of \$1,635,534.55, #0779 in the amount of \$310,633.92, #0780 in the amount of \$1,697,789.31, and #0782 in the amount of \$3,706,245.40. Motion made, seconded and unanimously approved.
2. Approve minutes of March 12, 2007, March 19, 2007 & April 2, 2007. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Lebeaux announced that leaves, grass, and yard waste in 30 gallon paper bags are being picked up at the curb this week. He reminded everyone that the annual Shrewsbury Town Clean-up is scheduled for this coming Saturday, April 21st the rain date is Saturday, April 28th. Mr. McCaffrey inquired about the hazardous waste drop off date. Mr. Morgado advised that the hazardous waste drop off had not yet been scheduled. However, the household product drop off date would be announced shortly.
4. Town Manager's Report - Nothing other than what is on the Agenda.

Meetings:

5. 7:00pm – Treasurer Carolyn Marcotte – Act on Assabet Consortium Bond. Treasurer Marcotte was present and asked the Board to vote on the Water Pollution Abatement Bond. Motion was made to authorize the clerk to sign the agreement to issue a bond or bonds in an aggregate principal amount not to exceed \$168,653 pursuant to Chapters 29C & 44 of the General Laws and a vote of the Town passed February 16, 2000 to replace the prepaid portion of the Town's \$490,127 Water Pollution Abatement Bond dated July 26, 2001 and issued to the Massachusetts Water Pollution Abatement Trust for the comprehensive waste water management planning project identified in such vote. Each Bond shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust at a price determined pursuant to the Loan Agreement. The Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond, and to execute a Loan Agreement with the Trust with respect to the sale of Bonds, such date, form and maturities and the specific interest rate or rates of the Bonds to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds. All action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed. The Treasurer and the other appropriate Town Officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement(s) and the Project Regulatory Agreement(s) relating to the Project. Motion was seconded and unanimously approved
6. 7:05pm – Joint Meeting with Finance Committee & Personnel Board (Executive Session) Motion was made at 7:15pm, seconded, and unanimously voted to go into executive session for the purpose of discussing collective bargaining and to reconvene into open session. The Board was polled, Mr. Card, yes, Mr. McCaffrey, yes, Mr. DePalo, yes, Mr. Fiore, yes, and Mr. Lebeaux, yes.

Motion was made, seconded, and unanimously voted to adjourn executive session and to reconvene into open session at 8:18 pm. On a roll call vote, Mr. Fiore, yes, Mr. DePalo, yes, Mr. Card, yes, Mr. McCaffrey, yes, and Mr. Lebeaux, yes.

7. 7:15pm – Finance Committee reports on the Fiscal Year 2008 Budget. Gene Buddenhagen, Chairman, John Campbell, Charles Giacompe, David L'Ecuyer, Johanna Musselman, and Clare O'Connor were present. Chairman Buddenhagen reviewed the Committee's recommendations for FY 2008. He advised that the recommendations are based on information at this time in a changing financial situation. They are recommending an operating budget of \$86,822,054, an increase of 5.3% over last year. The Committee is also recommending an education budget of \$42,733,949, an increase of 6.34% over last year. Increased costs in state and federal mandated programs and fixed costs (health insurance, pension costs, etc.) have had an impact on the budget. The current revenue stream cannot maintain these costs and will not support the Town's spending, additional spending will be required in order to maintain the current level of Town services. A balanced budget can only be achieved by the use of reserves. The solution is to increase revenues and reduce spending. State aid is down and the Town can expect it to be even lower in the coming years. Aggressive budgeting must begin immediately in order not to create a fiscal crisis in coming years. There is no question that the explosion of growth over the past decade has had a major impact on communities state-wide. Mr. Buddenhagen advised that the committee endorses the override question and will not revisit it until 2009-10. Mr. Lebeaux thanked Mr. Buddenhagen and the committee for all their hard work and asked Board members for their questions. Board members discussed the impact of the \$521,000 reduction in the House Ways & Means Budget from the Governor's budget. Mr. Morgado advised that Rep. Polito has arranged a meeting with the Secretary of Education in Boston tomorrow to discuss the impact of this cut to the Town. Members of the Finance and School Committees, Board of Selectmen and school and municipal departments will attend. The Finance Committee will meet on Thursday evening, April 12th in this room to finalize the report.

Public Hearings:

8. 8:00pm – The Westborough Club, Inc. d/b/a Massachusetts Health & Fitness, 3 Tennis Drive, Justin Lundberg, manager, transfer of All Alcoholic Beverages Pub License from The Racquet Pub, Inc., David Wyner, manager. The Westborough Club, Inc. d/b/a Massachusetts Health & Fitness is also applying for a Common Victualler's License. Hours of operation: Monday-Friday 4:00pm to 12:00 midnight, Saturday 1:00pm to 12:00 midnight, Sunday 1:00pm to 10:00pm. Mr. Lundberg was present and advised the Board that he had purchased the business and made a number of changes to improve the facility. He added that he currently owns and operates the Westborough Swim Club. Mr. Lebeaux advised that reports from department heads had been received and there was one question on the Treasurer's report that Mr. Lundberg will resolve tomorrow, all other reports were favorable. Mr. DePalo asked about parking. Mr. Lundberg advised that he would be adding 30 parking spaces and is currently working with the Building Inspector on this matter. Mr. Lebeaux opened the hearing to the public and seeing no comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the transfer of the All Alcoholic Beverages Club License from The Racquet Pub to Mass. Health and Fitness for the purpose and hours as stated in the application. Motion was made to approve the application of Mass. Health & Fitness for a Common Victualler's License, hours of operation, Monday-Friday 5:00am to 11:00pm and Saturday & Sunday 7:00am to 9:00pm. Motion was seconded and unanimously approved.

Old Business:

9. Open Traffic Issues. Mr. Lebeaux advised that there were four outstanding issues. The Board asked the manager to do what is necessary to close out these issues and report back.
10. Request to Purchase Land. Mr. Morgado reviewed a request from Andrew Kyriacou to purchase a parcel of land behind his property. If the Board is in favor of the sale he will ask Mr. Kyriacou to prepare a plan to take to Town Meeting. After a discussion the Board agreed not to deviate from their position not to sell town owned property. Therefore, they will treat this request as they have done with those in the past and deny it. Mr. Lebeaux asked Mr. Morgado to inform Mr. Kyriacou of the Board's decision.
11. Fallen Tree in Burial Plot. Mr. Lebeaux advised that he Board had received an e-mail regarding the fallen tree and Mr. Morgado had looked into matter and discovered that this is private property. He asked if the Board wished to make the property owner aware of the situation and if he has no intention of removing the tree would the Board be in favor of the Town removing it. After a discussion, the Board asked Mr. Morgado to draft a letter to the property owner. If a tree removal service wishes to donate their services the Board will put them in contact with the owner.
12. Yard Sale Signs. Mr. Lebeaux reviewed the Board's discussion regarding signs last fall at which time no agreement on what to do about it had been reached. As spring approaches, the signs will again begin to make their

appearance. He suggested asking the Highway Dept to remove the signs as they are out doing their regular work and if it can be determined who they belong to, the Board office will send out a letter along with a copy of Article 9, Section 18 of the Town By Laws to the party who posted the sign. This by law imposes a fine of \$20 on anyone posting a sign on property not his own. A discussion followed. Mr. Morgado will discuss with Highway Supt. John Knipe

13. Sign Amendment #5 – Allocation of Design Flow to the Westborough Treatment Plant. Motion was made, seconded and unanimously voted to sign the agreement.

New Business:

14. Stop Sign Request – Heatherwood Drive. Mr. Morgado advised that he had received an inquiry regarding the installation of a stop sign at Dartmoor Drive, Heatherwood Drive and Hunter Circle. Chief Hester reported back that the intersection does not meet the criteria for a four way stop sign. Motion was made, seconded and unanimously voted to install cautionary signage – intersection ahead. Mr. Morgado will inform resident.
15. Sign Treasurer/Collector Bond. Motion was made to sign the bonds to set statutory limits as noted for the Treasurer/Collector. Motion was seconded and unanimously voted to approve.
16. Reappoint Brenda Ljunggren, 24 Edgemere Blvd., to the Registrar of Voters for a term of three years expiring March 31, 2010. Motion was made, seconded and unanimously voted to reappoint Brenda Ljunggren, 24 Edgemere Blvd., to the Registrar of Voters for a term of three years expiring March 31, 2010.
17. E-mail from Alan & Angela Govatsos, 16 Bay Road, re Dog Hearing. Motion was made to call a public hearing on April 23, 2007 at 8:15pm. Motion was seconded and unanimously voted.

Mr. Fiore asked the Board to reaffirm the vote for the override question with his vote noted as he was unable to attend the March 19th meeting when the vote was taken. Motion was made, seconded and voted five in favor to reaffirm the vote taken on March 19, 2007 regarding placing a \$5,000,000 override question on the May 1, 2007 ballot.

Executive Session:

18. Collective bargaining, pending litigation and value of real property. No executive session.

Communications:

19. Noted copy mailed: ZBA Hearing Minutes, 2/20/07, Gary Giordano, 98 Rear Walnut Street.
20. Noted copy mailed: ZBA Hearing Minutes, 2/20/07, Melissa Muntz, 8 Sheryl Drive.
21. Noted copy mailed: ZBA Hearing Minutes, 2/20/07, Mansoor Khan, 7 Park Grove Lane.
22. Noted copy mailed: ZBA Hearing Minutes, 2/20/07, BUCA Restaurants 3, Inc., 7 Boston Turnpike.
23. Noted copy mailed: E-mail from Ray Daneshmand, Choice Auto Center, re Thank you to Chief Hester & the Shrewsbury Police Dept.
24. Noted copy mailed: E-mail from Amy Kotsopoulos, 29 Estabrook Road, re Budget.
25. Noted copy mailed: E-mail from Craig Mello, Ph.D., 1 Horseneck Road, re Budget.
26. Noted copy mailed: E-mail from William Patterson, M.D., 10 Bannister Street, re Budget.
27. Noted copy mailed: E-mail from Heather & Chris Knight, 14 Hillcrest Avenue.
28. Noted copy mailed: E-mail from Johanna Musselman, 39 Stonybrook Lane, re Budget.
29. Noted copy mailed: E-mail from Mike Blum, 66 Trowbridge Lane, re Budget.
30. Noted copy mailed: E-mail from Chris Juetten, 41 Stonybrook Lane, re Budget.
31. Noted copy mailed: E-mail from Kathleen & Mike Keohane, 8 Bracken Road, re Budget.
32. Noted copy mailed: E-mail from Betsy Hudson & Charlie Eisenmann, 5 Stone Meadow Farm Drive, re Budget.
33. Noted copy mailed: E-mail from Barbara Mancini, 25 Grafton Street, re Budget.
34. Noted copy mailed: E-mail from Clem & Bob McNamara, 7 Meadowbrook Circle, re Budget.
35. Noted copy mailed: E-mail from Cheryl Kasof, 6 Dana Road, re Budget.
36. Noted copy mailed: E-mail from Robin Snyder, 3 Pheasant Hill Drive, re Budget.
37. Noted copy mailed: Snow Storm Report, March 16-18, 2007. This was a difficult storm. The cost to the Town was \$75,184.52 amounting to approximately \$5,000 per inch
38. Noted copy mailed: Park & Cemetery Commission Meeting Minutes, 2/12/07.
39. Noted copy mailed: E-mail from Amy Kotsopoulos, 29 Estabrook Road, re Budget.

40. Noted copy mailed: Memo from CMRPC Transportation Staff re Annual Development of the 2008 to 2011 TIP Project Listing, Required Status Update for Pending TIP Projects & Proposals. Mr. DePalo is monitoring.
41. Noted copy mailed: Invitation from Rep. Polito to a Public Forum on "Protecting Our Children – Increasing Awareness at the Community Level" on Thursday, March 29th. Mr. McCaffrey attended and advised this event was well attended. This is a very important piece of legislation and should be supported by the Town.
42. Noted copy mailed: Memo from Mr. Morgado re Project Update.
43. Noted copy mailed: Mr. Morgado's response to Tara Alano, 49 Gold Street, re speed limit on Gold Street.
44. Noted copy mailed: Mass. Dept. of Revenue Bulletin, 2007-05B, re FY2008 Budget Issues.
45. Noted copy mailed: Notice of MBTA Advisory Board Meeting, Minutes & Draft Report, MBTA Capital Investment Program FY08-FY12.
46. Noted copy mailed: E-mail from Steve Danielson, 75 Stoney Hill Road, re Budget.
47. Noted copy mailed: Invitation from The Mass. Div. of Energy Resources to an Energy Services Workshop – Energy Savings Performance Contracting.
48. Noted copy mailed: MMA Action Alert #2, 3/27/07, House Ways & Means Committee to Release Budget by April 11.
49. Noted copy mailed: E-mail from William Gooley, Ph.D., 696 Main Street, re WRRB.
50. Noted copy mailed: E-mail from Erin Canzano, 6 Holman Heights Circle, re Budget.
51. Noted copy mailed: Response Environmental, Inc. Release Notification Form, Saddle Tank Diesel Fuel Release at Tractor Trailer Parking Lot, 211 Memorial Drive.
52. Noted copy mailed: Parks & Recreation Wish List. Mr. Morgado advised that all departments will be developing wish lists for any generous individuals that may wish to donate new or used items to the Town. The lists will also be available on the web site.
53. Noted copy mailed: E-mail from Thomas Herrera, 819 County St. #73D, Taunton, MA, re Patch Request. Forward to Police Department.
54. Noted copy mailed: E-mail from Ken Milley, 105 Francis Avenue, re Litter. Discussion tabled to later date.
55. Noted copy mailed: Mass. Dept. of Revenue Bulletin, 2007-06B, re New Officials Finance Forum. Copies to be forwarded to all candidates for selectman.
56. Noted copy mailed: Senator Kerry's Monthly Recap, February & March 2007.
57. Noted copy mailed: SELCO Commission Meeting Minutes, 2/26/07.
58. Noted copy mailed: E-mail from Ross Clark, 7 Shirley Road, re Budget.
59. Noted copy mailed: Expanded ENF from Vanasse & Associates, Inc. for proposed Cumberland Farms (complete form on file in BOS office).
60. Noted copy mailed: Notification of Chapter 90 funding for FY 2008 from the Governor's Office. Funding has increased but can only be used for highway projects.
61. Noted copy mailed: Two ABCC Notices of Hearings for Zante, Inc. d/b/a Sophie's, 81 Clinton Street. Will monitor hearing results.
62. Noted copy mailed: E-mail from Rep. Polito re FY 2008 Budget Update.
63. Noted copy mailed: E-mail from Charles Scaletta, 303 Boylston Street, re Budget.
64. Noted copy mailed: MMA Action Alert #4, April 4, 2007, House & Senate Set Minimum Local Aid for Budget. MMA is asking local Board to sign letter of support. Motion was made, seconded and unanimously voted to sign the letter.
65. Noted copy mailed: E-mail from Rep. Polito re Local Aid Resolution.
66. Noted copy mailed: E-mail from Sen. Augustus re Local Aid Joint Resolution

Mr. Card advised that construction of the main fire station and the station at CenTech Park were going along well.

Motion was made, seconded, and unanimously voted to adjourn at 10:14pm. On a roll call vote Mr. McCaffrey, yes, Mr. Card, yes, Mr. DePalo, yes, Mr. Fiore, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy

Secretary